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Attorneys for Defendants SACRAMENTO
HOUSING AND REDEVELOPMENT AGENCY,
LA SHELLE DOZIER, MARYLIZ PAULSON,
TORY LYNCH, TANYA CRUZ, TAMEKA
JACKSON, LISA MACIAS, TIFFANY BROWN,
and IBRA HENLY

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SYDNEY BROOKE ROBERTS and DAVID
TYRONE SAMUEL

Plaintiffs,

v.

SACRAMENTO HOUSING AND
REDEVELOPMENT AGENCY, et al.,

Defendants.

No.: 2:22-cv-01699 DJC AC

**DEFENDANTS' NOTICE OF MOTION FOR
SUMMARY JUDGMENT OR IN THE
ALTERNATIVE FOR SUMAMRY
ADJUDICATION OF CLAIMS**

Assigned to Magistrate Allison Claire

Date: April 23rd, 2025

Time: 10:00 a.m.

Courtroom: 26

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

NOTICE IS HEREBY MADE that on April 23, 2025, at 10:00 a.m.. in Courtroom 26 of
the above-entitled Court, Defendants will and hereby do move the Court for Summary
Judgment, or in the alternative Summary Adjudication of claims in the complaint filed by
Plaintiffs SYDNEY BROOKE ROBERTS ("ROBERTS") and DAVID TYRONE SAMUEL
("SAMUEL") (collectively, "Plaintiffs").

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This motion is made pursuant to FRCP 56(a) on the grounds that the undisputed facts establish that there is no genuine dispute as to any material fact as to the causes of action in Plaintiffs' Third Amended Complaint ("TAC"), and therefore Defendants are entitled to summary judgment as a matter of law. Specifically, Plaintiffs cannot show that:

- Defendants discriminated, continue to discriminate, or engaged in discriminatory policies and practices against Plaintiffs;
- Defendants acted with malice or reckless indifference towards Plaintiffs;
- Defendants violated any of Plaintiffs' rights, including but not limited to, reasonable accommodation-related rights, accessibility rights and hearing and due process rights.

There is also no evidence for any of Plaintiffs' claimed damages.

In the alternative, pursuant to FRCP 56(a), Defendants move for summary adjudication of claims as follows:

Summary Adjudication Basis No. 1: Summary Adjudication is appropriate as to Plaintiff's Cause of Action for violations of Titles VIII and IX of the Civil Rights Act of 1968 because there is no evidence: (1) Defendants discriminated, continue to discriminate, or engaged in discriminatory policies and practices against Plaintiffs; (2) Defendants acted with malice or reckless indifference towards Plaintiffs; and (3) Defendants violated any of Plaintiffs' rights, including but not limited to, reasonable accommodation-related rights, accessibility rights and hearing and due process rights.

Summary Adjudication Basis No. 2: Summary Adjudication is appropriate as to Plaintiff's Cause of Action for violations of Titles II of the American with Disabilities Act because there is no evidence: (1) Defendants discriminated, continue to discriminate, or engaged in discriminatory policies and practices against Plaintiffs; (2) Defendants acted with malice or reckless indifference towards Plaintiffs; and (3) Defendants violated any of Plaintiffs' rights, including but not limited to, reasonable accommodation-related rights, accessibility rights and hearing and due process rights.


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Summary Adjudication Basis No. 3: Summary Adjudication is appropriate as to Plaintiff's Cause of Action for violations of the Fourteenth Amendment due process and equal protection clauses because there is no evidence: (1) Defendants discriminated, continue to discriminate, or engaged in discriminatory policies and practices against Plaintiffs; (2) Defendants acted with malice or reckless indifference towards Plaintiffs; and (3) Defendants violated any of Plaintiffs' rights, including but not limited to, reasonable accommodation-related rights, accessibility rights and hearing rights

This Motion is based upon this Notice of Motion, the attached Memorandum of Points and Authorities, the Separate Statement of Undisputed Material Facts, the Declaration of Monica Castillo, the evidence concurrently filed herewith, and on all papers and pleadings on file herein, and on such other and further oral and/or documentary evidence as may be presented at or before the time of hearing on this Motion.

Dated: March 6, 2025

**WILSON ELSEER MOSKOWITZ
EDELMAN & DICKER LLP**

By: 
**EDWARD P. GARSON
MONICA CASTILLO
Attorneys for Defendants**

PROOF OF SERVICE

Brooke Roberts, et al. v. Sacramento Housing and Redevelopment Agency, et al.
USDC, Eastern District of California, No. 2:22-cv-01699 TLN AC PS

I, the undersigned, am employed in the county of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is 655 Montgomery Street, Suite 900, San Francisco CA 94111.

On the date indicated below, I caused to be served the following document(s) described as follows:

**DEFENDANTS' NOTICE OF MOTION FOR SUMMARY JUDGMENT OR IN THE
ALTERNATIVE, SUMMARY ADJUDICATION**

☒: **BY MAIL** - As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. The envelope was sealed and placed for collection and mailing on this date following our ordinary practices. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒: **BY E-MAIL** - Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Sydney Brooke Roberts
David Tyrone Samuel
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Rio Linda, CA 95673

home@possiblymaybe.com
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T: (512) 522-8571

Executed on March 6, 2025, at San Francisco, California. I declare under penalty of perjury under the laws of the State of California, that the above is true and correct.



Jasmine Carinio

CERTIFICATE OF SERVICE

Brooke Roberts, et al. v. Sacramento Housing and Redevelopment Agency, et al.
USDC, Eastern District of California, No. 2:22-cv-01699-TLN-AC

I certify that on *March 6, 2025*, I electronically filed the foregoing document(s) and that they are available for viewing and downloading from the Court's CM/ECF system, and that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

Executed on March 6, 2025, at San Francisco, California.



Jasmine Carinio